

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5449 of 2023

=====

Halkhori Ram son of Late Badri Ram, R/o Datmai, Post-Khalilabad Nataul,
P.S. Nataul, Dist Patna, Bihar-804452.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Rural Works Department, Government of Bihar, Patna, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
2. The Secretary, Rural Works Department, Government of Bihar, Patna, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
3. The Engineer-in-Chief, Rural Works Department, Government of Bihar, Patna, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
4. The Chief Engineer, Rural Works Department, Government of Bihar, Patna, 5th Floor, Vishveshwarya Bhawan, Bailey Road, Patna-800015.
5. The Executive Engineer, Rural Works Department, Works Division, Masaurhi.
6. The Junior Engineer, Rural Works Department, Works Division, Masaurhi.
7. The Assistant Engineer, Rural Works Department, Works Division, Masaurhi.
8. The Circle Officer, Dhanarua, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ashish Kumar Lal, Advocate
For the Respondent/s : Mr. S.K.Mandal, S.C.-3
Ms. Neelam Kumari, AC to SC-3

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 23-11-2023 Heard learned counsel for the petitioner and learned

A.C. to Standing Counsel – 3.

2. This writ application has been filed by the petitioner seeking direction to the respondents authorities to either remove the soil, which has been put by them, on the part of the property of the petitioner or to pay compensation to the petitioner at the present market value for acquiring the part of



the said property of petitioner.

3. In this case, a counter affidavit has been filed on behalf of respondent no. 5/Executive Engineer, Rural Works Department, Masaurhi on 09.10.2023 and in paragraph - 14, it is specifically stated that in response to his letter no. 1338 dated 04.10.2023 (Annexure 'B' to the counter affidavit), the Circle Officer, Dhanarua, vide his letter no. 2473 dated 06.10.2023, submitted the measurement report and according to which, 1.328 decimal land of the petitioner has been used in construction of the road by the department. Further, in paragraph - 15, it is stated that after receipt of the aforesaid measurement report, the deponent (i.e. Executive Engineer), vide his letter no. 1355 dated 06.10.2023, has made request to the District Magistrate, Patna to get the land evaluated, as per MVR, and provide a copy thereof to the present respondent so that the allotment of fund for making payment of amount of compensation to the petitioner may be requisitioned from the department.

4. In view of aforesaid facts and circumstances, the writ application stands disposed of directing the concerned respondent i.e. respondent no. 5 to expedite the matter and make suitable compensation to the petitioner, preferably, within a



period of six months from the date of receipt / production of
copy of this order.

(Prabhat Kumar Singh, J)

anay/-

U			
---	--	--	--

